

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
PROBATION OFFICE**

**Report on Offender Under Supervision  
and/or  
Petition for Warrant or Summons  
with Attached Request for  
Court Action Direction Detailing Probable Cause**

Offender: Michael Lair

Docket Number: 06 CR 1068-01

Sentencing Judge: Honorable John F. Keenan, Senior U.S. District Judge

Date of Original Sentence: April 17, 2007

Original Offense: Wire Fraud {18 USC 1343}

Original Sentence: Twenty Seven (27) Months Imprisonment followed by a Three (3) Year Term of Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: October 24, 2008

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**NON-COMPLIANCE SUMMARY**

The offender has not complied with the following conditions of supervision:

Nature of Noncompliance

- 1 The offender has failed to complete restitution payments, as directed by the Court.

**U.S. PROBATION OFFICER ACTION**

Reference is made to the above-captioned releasee who was sentenced by Your Honor as indicated. By way of background, on July 29, 2008, Lair was released from the custody of the U.S. Bureau of Prisons at which time he commenced supervision in the Southern District of New York, based on his New York City residency.

On January 17, 2010, a Request for Warrant was sent to the Court due to Lair's non-compliance.

On June 8, 2010, Lair admitted guilt to violations of condition #3 of the term of supervision. Specifically, on or before July 9, 2009, Lair used a controlled substance, to wit, cocaine. As a result of the foregoing circumstances, Lair was sentenced to four (4) months imprisonment, followed by a one (1) year term of

supervised release. Restitution in amount of \$307,103.50 previously imposed remains as a special condition.

At the time of writing, Lair has remitted at total of \$699.82. A balance of \$306,803.68 remains.

Lair has been in contact with agents of the Financial Litigation Unit (FLU) of the United States Attorney's Office who have discussed the offender's financial status and the continued collection of restitution. By statute, efforts by FLU to collect and monitor restitution payments will continue for 20 years from the judgment date, well beyond the maximum expiration date.

#### **SUMMARY OF COMPLIANCE WITH SUPERVISION CONDITIONS**

Lair's initial noncompliance is a matter of record with this Court. His prior behavior, which included drug usage was deemed unacceptable by Your Honor. Since his release from custody, in October 2010, however, Lair's supervision has been fraught with unrelated difficulties. Lair has been undomiciled intermittently and has been unable to secure viable employment, subsisting primarily with the help of friends and odd jobs. Recently, Lair was able to secure a position but reportedly stopped soon thereafter due to recurring medical issues.

Lair has reported as directed and has communicated status changes to the undersigned Senior U.S. Probation Officer.

#### **RECOMMENDATION AND JUSTIFICATION**

In view of the above, we respectfully recommend that Lair's supervision term be allowed to terminate on October 5, 2011, as scheduled.

**I declare under penalty of perjury that the foregoing is true and correct.**

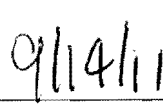
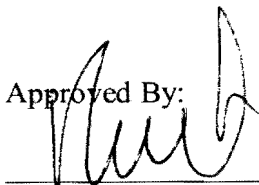
Respectfully submitted,

Michael J. Fitzpatrick  
Chief U.S. Probation Officer



Michael R. Cox  
Senior U.S. Probation Officer  
212-805-5112

Approved By:



Paul Wodeshick Date  
Supervising U.S. Probation Officer

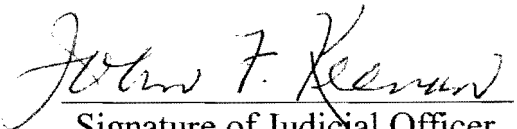


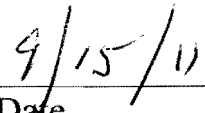
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*Judicial Response*

**THE COURT ORDERS:**

- ☒ Court approves U.S. Probation Officer's recommendation. Supervision to terminate on October 5, 2011, as scheduled.
- ☐ Submit a Request for Modifying the Condition or Term of Supervision
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

  
\_\_\_\_\_  
Date